

## New Shivwits Chairperson Seeks Transparency and Right to Vote Asks the Local Community for Support

by Patricia O'Rorke

The Shivwits Band of Utah Paiutes has elected Philip Bushhead as its Chairperson. Mr. Bushhead is a member of Red Mountain Land Preservers, an organization of Shivwits members that has challenged the proposal of private equity group Reef Capital Partners ("Reef") to use the Shivwits' trust land and water rights for a massive expansion of its Black Desert golf resort.

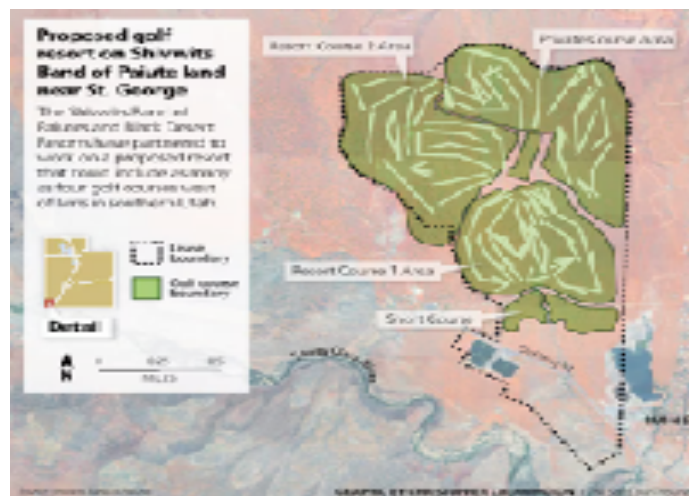


Mr. Bushhead ran for Chairperson on the premise that Shivwits members should see and decide by majority vote on the agreements proposed by Reef. He opposes the bills sponsored by Senator John Curtis and Representative Celeste Maloy to transfer jurisdiction over the Shivwits reservation to the State of Utah without the consent of the band's members by majority vote.

Mr. Bushhead defeated three other candidates, including two incumbent council members who opposed to the transparency and right to vote advocated by Mr. Bushhead and supported the Curtis-Maloy bills. He replaces a former chairperson who testified in favor of those bills; she resigned in January after band members filed numerous grievances against her.

Reef wants to build a massive 1,250-acre development including 3 additional golf courses, a practice course, clubhouse, airport and other facilities for Black Desert Resort guests on the Shivwits reservation. <https://www.sltrib.com/news/2026/03/26/why-utah-golf-resort-tribal/> The choice of location is driven by water. The county water district will not provide water for additional golf courses in the county. <https://www.sltrib.com/news/environment/2025/11/17/water-strapped-southern-utah/>. The Shivwits are entitled to 2,000-acre-feet per year of reuse water and up to 2,000 additional acre-feet per year of secondary water from the Santa Clara River. Those water rights are not subject to the county's water restrictions.

When Reef announced its plans for the Shivwits reservation, band members objected to the cultural, environmental, health, and economic damage they portended



for current and future generations of Shivwits. [https://www.stgeorgeutah.com/news/it-s-a-spiritual-place-shivwits-band-members-oppose-luxury-resort-development-on-reservation-land/article\\_32c9b222-3e02-4303-95b4-d042a87acab4.html](https://www.stgeorgeutah.com/news/it-s-a-spiritual-place-shivwits-band-members-oppose-luxury-resort-development-on-reservation-land/article_32c9b222-3e02-4303-95b4-d042a87acab4.html). Since then, Reef has met secretly with members of the band council and kept the Shivwits people in the dark about its intentions. At first, council members claimed they were “just talking” and no commitments would be made without a vote of the general membership. But recently those council members admitted to signing agreements with Reef that the Shivwits people are not allowed to see.

At the same time, Reef has been paying a Virginia lobbyist \$12,000 per month to secure passage of the Curtis-Maloy bills, H.R. 3073 and S. 1508. Lines 7, 12 and 16 of the lobbyist’s disclosure forms clearly show that Reef is the driving force behind this special interest legislation, which bears the misleading title, “Shivwits Band of Utah Paiutes Jurisdictional Clarity Act”. <https://lda.gov/filings/public/filing/426548b7-0adc-45f8-a92b-b10f7fc3730f/print/>, <https://lda.gov/filings/public/filing/22882760-4d4a-4ed9-bf82-c2bc39f8dcaa/print/>, <https://lda.gov/filings/public/filing/e48bc678-a000-440e-a547-ec8a0c3eb2cf/print/>, <https://lda.gov/filings/public/filing/97e454b3-3400-4afc-b993-481a3fe7cbe7/print/>. These bills have one purpose: to deprive the Shivwits members of the right to vote that is guaranteed to the members of every other Native American tribe.

Relinquishing jurisdiction over Indian trust lands to the State is such a profound decision that it cannot be made by an elected council. Under long-established Federal law, jurisdiction can only be transferred to the State with the consent of the tribal members by majority vote in a special election held for that purpose. No band or tribe in Utah has ever agreed to do that. It isn’t necessary for economic development. The Shivwits and other Native American tribes are achieving significant economic developments with non-Indian investors without ceding jurisdiction over to the State.

Under mounting pressure from Shivwits members and other concerned members, Senator Curtis now says that he is putting S. 1508 “on hold”. This is a meaningless gesture. Both S. 1508 and H.R. 3073 must be withdrawn or defeated in committee.

### **How We Can Help Our Shivwits Neighbors**

Since Red Mountain Land Preservers reached out to the local community for help a few months ago, there has been an outpouring of support for the Shivwits’ right to see and vote on agreements that would cede control of their trust lands and water rights to a private developer for generations. It is their land and water, not ours. We are not the decisionmakers. But we can help them secure transparency and the right to vote on these profound issues by taking 3 actions now.

**1. Donate.** Please send your check to Red Mountain Land Preservers, 518 S. 400 East, Ivins UT 84738, or donate online at <https://www.gofundme.com/f/Support-Red-Mountain-Land-Protectors>. If you donate online, be sure to adjust the slider to reduce the Go Fund Me fee to the minimum amount.



**2. Get the Word Out.** Ask your friends, family and neighbors throughout Utah and other states to donate, call and write.

**3. Call and Write Senator Curtis, Members of the Senate Indian Affairs Committee and Their Key Staff Members.** Tell Curtis to withdraw his sponsorship of S. 1508 and his support for H.R. 3073. Tell the Indian Affairs Committee to vote against this unnecessary and unfair developer-driven legislation. Then follow up and tell them again.

**Ask these questions:**

- How can you support special interest legislation to benefit a non-Indian developer by forcibly transferring jurisdiction over Indian trust land to the State of Utah without a vote of the tribal members?
- If a majority of the Shivwits members are supposedly in favor of transferring jurisdiction to the State, why not let them vote on it? Why do you have to force it on them?
- How can you justify depriving the 311-member Shivwits Band of Utah Paiutes of the right to control jurisdiction over their reservation by majority vote, when every tribe in America has that right under the existing Federal law? (If they ask, the law is 25 U.S.C. Sections 1322-1326.)
- If such a sweeping transfer of jurisdiction to the state is needed for economic development, why doesn't this law apply to other tribes? How are so many tribes achieving significant economic development without it?

**Senators and Staff to Contact to Defeat S. 1508 and H.R. 3073 in Committee**

**Senator John Curtis: Withdraw sponsorship of S. 1508 and support for H.R. 3073.**

Phone: 202-224-5251, Email: <https://www.curtis.senate.gov/contact>

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**Members of Senate Indian Affairs Committee: Vote NO on S. 1508 and H.R. 3073.**

**Sen. Lisa Murkowski, Committee Chair, 202-224-6665**

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